

Internal Revenue Service
District Director

Department of the Treasury

Post Office Box 1640, BPO
Brooklyn, NY 11202

Date: MAY 21 1980

Person to Contact: [REDACTED]

Contact Telephone Number: [REDACTED]

Refer Reply to: [REDACTED]

CERTIFIED MAIL

Dear Applicant:

We have considered your application for tax-exempt status under section 501(c)(3) of the Internal Revenue Code.

The evidence presented disclosed that you were granted a provisional charter by the [REDACTED]

[REDACTED], for and on behalf of the [REDACTED]
[REDACTED] on [REDACTED].

The purposes for which the corporation was formed includes the following:

- (a) To educate youth and adults about their American heritage.
- (b) To acquire information, papers, relics, books and documents pertaining to [REDACTED], his wife [REDACTED], and their ancestors and descendants.
- (c) To publish information pertaining to the above matters.

Section 501(c)(3) of the Code provides, in part, for the exemption from Federal income tax of organizations organized and operated exclusively for charitable, religious, scientific or educational purposes, no part of the net earnings of which inures to the benefit of any private shareholder or individual.

Section 1.501(c)(3)-1(c)(1) of the Regulations states that if more than an insubstantial part of an organization's activities is not in furtherance of exempt purposes, the organization will not be regarded as exempt.

[REDACTED] stated that its activities include accumulating and disseminating genealogical information on their ancestors. [REDACTED] will record and publish this information in a series of books on their ancestors. In addition to the above activities, the organization also sends out informational newsletters to members at least four times a year and holds a family reunion once a year. The organization's primary sources of support include dues from association members and sales of the publication.

Revenue Ruling 80-301. 1980-2 C.B. 180 holds that an organization which (1) opens its membership to all persons in a particular area, (2) provides instruction in genealogical research techniques to its members and to the general public, but does not research genealogies for its members, (3) conducts research projects and makes the results available to the state historical society, (4) provides materials for libraries and community displays and (5) promotes various other related activities for the public qualifies for exemption under section 501(c)(3) of the Code.

Revenue Ruling 80-302. 1980-2 C.B. 182 holds that an organization which (1) limits its membership to descendants of a particular family, (2) compiles family genealogical research data for use by its members for reasons other than to conform to the religious precepts of the family's denomination, (3) presents the data to designated libraries, (4) publishes volumes of family history, and (5) promotes social activities among family members does not qualify for exemption under section 501(c)(3) of the Code.

Unlike the organization described in Revenue Ruling 80-301, your organization has a restricted membership and researches genealogies in regard to the [REDACTED] Family. The organization's activities do not consist of researching genealogies for the general public but only for its membership.

The activities of your organization are similar to those described in Revenue Ruling 80-302. Your activities are primarily limited to one particular family for which genealogical research is compiled for other than religious reasons, data is made available to libraries and historical societies, you publish family history and promote an annual family reunion. The organization's genealogical research is done for its membership interested in data which reveals that they are descendants of the [REDACTED]. The organization has stated in its correspondence that research is performed throughout the country seeking information about the [REDACTED] and their related families. The data gathered is placed in the organization's publications and newsletters. The activities of the organization do not advance education to benefit the public interest but the private interest of family members.

Section 1.501(c)(3)-1(d)(1)(ii) of the Regulations provides, in part, that an organization is not organized or operated exclusively for one or more of the purposes mentioned in section 501(c)(3) of the Code unless it serves a public rather than a private interest. An organization may not be exempt if it is operated for the benefit of private individuals.

Accordingly, we conclude that you do not meet the requirements for exempt status under section 501(c)(3) of the Code and propose to deny your request for exemption under that section.

You are required to file a taxable return Form 1120 or 1041 with the District Director of Internal Revenue Service. Please send the return to the Internal Revenue Service, P.O. Box 1680, General Post Office, Brooklyn, NY 11202.

Contributions made to you are not deductible by the donors as charitable contributions as defined in section 170(c) of the Code.

If you do not agree with this determination, you may request a Conference with the Regional Director of Appeals by protesting in accordance with the enclosed instructions within 30 days.

Protests submitted which do not contain all the documentation stated in the instructions will be returned for completion.

If we do not hear from you within that time this determination will be considered final and the appropriate State Officials will be notified.

If you do not protest this proposed determination in a timely manner, it will be considered by the Internal Revenue Service as a failure to exhaust available administrative remedies. Section 7428(b)(2) of the Internal Revenue Code provides in part that "A declaratory judgment or decree under this section shall not be issued in any proceeding unless the Tax Court, the Claims Court, or the District Court of the United States for the District of Columbia determines that the organization involved has exhausted administrative remedies available to it within the Internal Revenue Service."

Sincerely yours,



District Director

Enclosure: Publication 892